FA-256 of 1998

08.04.2024
Item no.01
Court No. 50

Batakrishna Sarkar
Vs
Bhabani Prasad Ghosh

None appears.

Perused the office report dated 02.04.2024.

It transpires from the office report that in spite of direction of this court for submission of postal cost along with written up notice form with correct postal address for causing service of notice of appeal upon respondent nos. 5 and 6 through registered post with A.D the same has not yet been submitted by the appellant.

It is also stated in the office report that the service of notice of appeal has been dispensed with by the Hon'ble Court in respect of substituted respondent nos. 4(a) to 4(g) and respondent no. 7 has already been duly served.

It is further stated in the office report that one Ayan Banerjee, Ld. Advocate has filed a vokalatnama on behalf of sole appellant without obtaining no-objection from the erstwhile Ld. Advocate on Record Mr. Saptangsu Basu.

Another vokalatnama has been filed by Ld. Advocate Ms. Koushikee Banerjee on behalf of sole appellant after obtaining no-objection from the Ld. Advocate Mr. Ramprakash Banerjee instead of Ld. Advocate of Record Mr. Saptangsu Basu.

In view of the above, it is apparent that the postal cost has not yet been deposited by the Ld. Advocate for service of notice upon respondent nos. 5 and 6. But, from the office report it is not clear about the status of service of notice of appeal upon respondent nos. 1-3 and respondent no. 8. whereas, the service of notice of appeal upon substituted respondent nos. 4(a) to 4(g) has been dispensed with and respondent no. 7 has already been duly served.

On that score, the concerned department is hereby directed to re-visit the report within one week from date.

Since, two vokalatnama have been filed by Mr. Ayan Banerjee and Ms. Koushikee Banerjee on behalf of sole appellant without obtaining no-objection from the erstwhile Ld. Advocate on Record, the Ld. Advocates are hereby directed to file fresh vokalatnama after obtaining necessary no-objection from the erstwhile Ld. Advocate within two weeks from date.

(Nabanita Ray)
Registrar Administration (L&OM)